STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 112   By: Young

<u>AS INTRODUCED</u>

An Act relating to crimes and punishments;
prohibiting sentences of life imprisonment without
parole and mandatory minimum sentences for juveniles;
directing court to consider mitigating circumstances;
providing for codification; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1.   NEW LAW   A new section of law to be codified

in the Oklahoma Statutes as Section 69 of Title 21, unless there is

created a duplication in numbering, reads as follows:

A. The following sentences shall not be imposed on any person

who was less than eighteen (18) years of age at the time the

criminal offense was committed:

1. A sentence of life imprisonment without the possibility of

parole; and

2. Any mandatory minimum sentence.

B. In addition to other factors required by law to be

considered prior to imposition of a sentence, when determining the

appropriate sentence for a person who has been certified as an adult

pursuant to certification procedures authorized in the Oklahoma Juvenile Code and who has been subsequently tried and convicted of a felony offense as an adult, the court shall consider the following mitigating circumstances:

1. Age at the time of the offense;

2. Level of maturity and the ability to appreciate the risks and consequences of the conduct;

3. Culpability;

4. Family and community environment;

5. Intellectual capacity;

6. Peer or familial pressure;

7. Ability to participate meaningfully in his or her defense;

8. Capacity for rehabilitation;

9. School records and special education evaluations;

10. Trauma history;

11. Faith and community involvement;

12. Involvement in the child welfare system; and

13. Any other mitigating factors or circumstances.

SECTION 2. This act shall become effective November 1, 2019.

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